

NEWS RELEASE



Attorney General Bill Lockyer
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ATTORNEY GENERAL LOCKYER ANNOUNCES AGREEMENT WITH 7-ELEVEN TO CURB TOBACCO SALES TO MINORS

Seventh Multi-State Agreement With Major Retailer Covers 1,224 California Stores

(SACRAMENTO) – Attorney General Bill Lockyer today announced an agreement with 7-Eleven, Inc. under which the nation’s largest retailer of tobacco products will implement new procedures to reduce such sales to minors at its 1,224 California stores, and 4,633 outlets in 30 other states and Washington D.C.

“This agreement is an important public health victory, especially for our children,” said Lockyer. “We owe it to our kids to do everything we can to prevent them from starting a habit that kills. 7-Eleven has recognized the problem and, with this agreement, has made a commendable commitment to a meaningful solution.”

The agreement was signed by California, and the Attorneys General of 39 other states and Washington D.C. Nine states that currently do not have 7-Eleven stores signed, and the agreement will apply in those jurisdictions should 7-Eleven open outlets there.

The 7-Eleven “Assurance of Voluntary Compliance” (AVC) is the seventh such agreement produced by an ongoing, multi-state enforcement effort which Lockyer has helped lead. Previous agreements cover all Wal-Mart, Walgreens and Rite Aid stores, and all gas stations and convenience stores operating under the Exxon, Mobil, BP, ARCO and Amoco brand names, in the signing states.

In addition to the multi-state AVCs, Lockyer and Los Angeles City Attorney Rocky Delgadillo in December 2004 reached a similar, court-approved settlement with Safeway, Inc. That agreement covers 538 Safeway, Vons, Pavilions and Pak N’ Save stores in California. The settlement resolved a lawsuit brought by Lockyer and Delgadillo that alleged Safeway violated state laws designed to prevent tobacco sales to minors.

Combined, the AVCs and Safeway settlement cover roughly 45,000 retail outlets across the nation. The AVCs provide measures to reduce sales of tobacco products to minors by the nation’s top retail chain (Wal-Mart), number one drug store chain (Walgreens), largest oil company (ExxonMobil) and biggest retailer of tobacco products (7-Eleven).

Launched in 2000, the multi-state enforcement effort by a group of 32 Attorneys General focuses on retailers with poor records of selling tobacco products to minors. State laws prohibit such sales. The enforcement program’s goal is to secure the companies’ agreement to take specific corrective actions.

The agreements incorporate “best practices” to reduce sales to minors, developed by the Attorneys General in consultation with researchers, and state and federal tobacco control officials.

The 7-Eleven AVC restricts marketing by prohibiting in-store advertising of tobacco products adjacent to products popular with minors, and banning within 500 feet of schools or playgrounds outdoor tobacco ads and outward-facing tobacco ads in store windows. It also bans self-service displays of all tobacco products (already prohibited by law in California). The self-service display prohibition in previous AVCs applied only to certain tobacco products, including cigarettes.

The provisions of the 7-Eleven AVC explicitly apply to all company-owned stores. The agreement, however, calls for 7-Eleven to take steps to ensure its franchisees comply both with the AVC and state laws governing the sale of tobacco products. Aside from the advertising and self-service restrictions, the AVC also requires 7-Eleven to:

- Check the ID of any person purchasing tobacco products when the person appears to be under the age of 27, and accept only valid government-issued photo ID as proof of age.
- Prohibit the following: use of vending machines to sell tobacco products, distribution of free samples, sale of cigarette look-alike products and the sale of smoking paraphernalia to minors.
- Hire an independent entity to conduct random compliance checks of 900 7-Eleven stores annually in the signing states and Washington D.C.
- Train employees on state and local laws and company policies regarding tobacco sales to minors, including explaining the health-related reasons for laws that restrict youth access to tobacco.

The Attorneys General have long recognized that youth access to tobacco products ranks among the most serious public health problems. Studies show more than 80 percent of adult smokers begin smoking before the age of 18. Research indicates that every day in the United States, more than 2,000 people under the age of 18 start smoking and that one-third of those persons ultimately will die from a tobacco-related disease. Young people are particularly susceptible to the hazards of tobacco, often showing signs of addiction after smoking only a few cigarettes.

In 1999, Lockyer established a full-time Tobacco Litigation and Enforcement Section to enforce California laws regarding the sale and marketing of tobacco products. The section also enforces the national Master Settlement Agreement (MSA) reached with tobacco companies in November 1998.

Californians who suspect violations of state tobacco laws or the MSA can file complaints by calling 916-565-6486 at any time, or by writing to the Tobacco Litigation and Enforcement Section at P.O. Box 944255, Sacramento, CA 94244-2550. Additional information is available on the Attorney General’s web site at <http://www.ag.ca.gov/tobacco/>.